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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop ISSUE FEE

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-2885

Subject: U.S. Patent Application No. 09/497,590
Gary Karlin Michelson

Filed: June 6, 2000

APPARATUS INCLUDING A GUARD MEMBER
HAVING A PASSAGE WITH A NON-CIRCULAR
CROSS SECTION FOR PROVIDING PROTECTED
ACCESS TO THE SPINE

Attorney Docket No. 101.0044-03000

Customer No. 22882

Confirmation No. 7688

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 8

Date: May 29, 2008

Confirmation Copy to Follow: No

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Issue Fee Transmittal Form (in duplicate; \$1,640.00 total amount to cover the \$1,440 issue fee and \$200 PTA Application fee is to be charged to Deposit Account No. 50-3726), Request for Correction of Title with 1 sheet of supporting documents, and Application for Patent Term Adjustment with Statement of Facts are being facsimile transmitted to the U.S. Patent and Trademark Office on May 29, 2008.

A handwritten signature in black ink, appearing to read "Sandra L. Blackmon".

Sandra L. Blackmon

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PATENT
Attorney Docket No. 101.0044-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Confirmation No.: 7688
Gary K. Michelson)
Serial No.: 09/497,590) Group Art Unit: 3772
Filed: June 6, 2000) Examiner: Michael A. Brown
For: APPARATUS INCLUDING A GUARD)
MEMBER HAVING A PASSAGE)
WITH A NON-CIRCULAR CROSS)
SECTION FOR PROVIDING)
PROTECTED ACCESS TO THE)
SPINE (as amended))

MS ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CORRECTION OF TITLE

Applicant has noted an error in the title of the invention as printed on the Notice of Allowance, as evidenced in the attached copy of page 2 of the Amendment dated June 2, 2004. Applicant therefore respectfully requests that the title of the above-identified application be corrected in the Patent Office.

Please grant any extensions of time required to enter this paper and charge any additional required fees to our deposit account 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Dated: May 29, 2008

By: Thomas H. Martin
Thomas H. Martin
Registration No. 34,383

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Application No. 09/991,579
Amendment dated June 2, 2004

Amendments to the Title:

Please replace the title with the following amended title:

—Apparatus Including A Guard Member Having A Passage With A Non-Circular Cross Section For Providing Protected Access To The SpineFor Inserting Spinal Implants --.